

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JAMES SPANN,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:05CV1470 CDP
)	
CORRECTIONAL MEDICAL)	
SERVICES, et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This matter is before me on plaintiff's motion to substitute "Kimberly Bennett" for defendant "Angelia Bennett." Plaintiff's motion will be granted for good cause shown. On April 4, 2006, I ordered the Office of the Missouri Attorney General to file a supplemental response regarding the identity of defendant "Angelia Bennett" by April 14, 2006. Because I am granting the motion to substitute, defense counsel is not required to file the supplemental response as previously ordered. However, I would like the Attorney General's Office to inform the Court whether it will waive service on behalf of "Kimberly Bennett" by April 14, 2006.


Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion to substitute [#36] is granted, and defendant "Kimberly Bennett" is substituted for defendant "Angelia

Bennett.”

IT IS FURTHER ORDERED that the Order dated April 4, 2006 is vacated.

IT IS FURTHER ORDERED that the Office of the Attorney General shall advise the Court in writing by April 14, 2006 whether it will waive service on behalf of defendant “Kimberly Bennett” in this matter.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 12th day of April, 2006.